



06-08-04

1637
EFW

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----------------------|------------------------|----------|
| | Application Number | 10/087,229 | |
| | Filing Date | February 27, 2002 | |
| | First Named Inventor | CHOU, QUIN | |
| | Group Art Unit | 1637 | |
| | Examiner Name | Young J. Kim | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | BIOS-001 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Change of Correspondence Address | |
| <input type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Certified Copy of Priority Documents | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--------------------------------|
| Firm or Individual Name | BRET E. FIELD, Reg. No. 37,620 |
| Signature | |
| Date | June 7, 2004 |

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile filed under 37 C.F.R. §§ 1.6(d) and 1.8(a)(1)(b) addressed to: 703-872-9306 on this date: June 7, 2004.

| | |
|-----------------------|--------------|
| Typed or printed name | Donna Macedo |
| Signature | |
| Date | June 7, 2004 |

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450 Alexandria VA 22313-1450.

JUN 07 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**110.00****Complete if Known**

| | |
|----------------------|-------------------|
| Application Number | 10/087,229 |
| Filing Date | February 27, 2002 |
| First Named Inventor | CHOU, QUIN |
| Examiner Name | KIM, YOUNG J. |

Art Unit
1637Attorney Docket No.
BIOS-001**METHOD OF PAYMENT** (check all that apply)
 Check Credit Card Money Order Other Order None
 Deposit Account:

| | |
|------------------------|--------------------------------|
| Deposit Account Number | 50-0815 |
| Deposit Account Name | Bozicevic, Field & Francis LLP |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge Any Additional Fee(s) Required under 37 C.F.R. 1.17.

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee | Fee | Small Entity Fee | Fee Description |
|------------------|--------|------------------|---------------------------|
| Code 1001 | \$ 770 | Code 2001 | 385 Utility filing fee |
| 1002 | 340 | 2002 | 170 Design filing fee |
| 1003 | 530 | 2003 | 265 Plant filing fee |
| 1004 | 770 | 2004 | 385 Reissue filing fee |
| 1005 | 160 | 2005 | 80 Provisional filing fee |

SUBTOTAL (1)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| | | Fee from below | Fee Paid |
|--------------------|---------------|----------------|--|
| Total Claims | -20** = | x | = |
| Indep. Claims | -3** = | x | = |
| Multiple Dependent | | = | |
| Large Entity Fee | Fee Code (\$) | Fee Code (\$) | Fee Description |
| 1202 | 18 | 2202 | 9 Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$

**or number previously paid, if greater; For Reissues, see above.

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) | Fee Description | |
| 1051 | 130 | Surcharge – late filing fee or oath | |
| 1052 | 50 | Surcharge – late provisional filing fee or cover sheet | |
| 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | Requesting publication of SIR prior to Examination action | |
| 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | Extension for reply within first month | |
| 1252 | 420 | Extension for reply within second month | |
| 1253 | 950 | Extension for reply within third month | |
| 1254 | 1,480 | Extension for reply within fourth month | |
| 1255 | 2,010 | 1,005 Extension for reply within fifth month | |
| 1401 | 330 | Notice of Appeal | |
| 1402 | 330 | Filing a brief in support of an appeal | |
| 1403 | 290 | 145 Request for oral hearing | |
| 1451 | 1,510 | 1,510 Petition to institute a public use proceeding | |
| 1452 | 110 | 55 Petition to revive – unavoidable | |
| 1453 | 1,330 | 665 Petition to revive – unintentional | |
| 1501 | 1,330 | 665 Utility issue fee (or reissue) | |
| 1502 | 480 | 240 Design issue fee | |
| 1503 | 640 | 320 Plant issue fee | |
| 1406 | 130 | 130 Petitions to the Commissioner | |
| 1807 | 50 | 50 Processing fee under 37 CFR 1.17(d) | |
| 1806 | 180 | 180 Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 40 Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 385 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 385 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 385 Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 900 Request for expedited examination of a design application | |

Fee Paid

110.00

Other fee (specify) Terminal Disclaimer*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** 110.00**SUBMITTED BY****Complete (if applicable)**

| | | | | | |
|-------------------|---------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Bret E. Field | Registration No. (Attorney/Agent) | 37,620 | Telephone | (650) 833-7770 |
| Signature | | | | Date | 06/07/2004 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

JUN 07 2004

JC1335

PTO/SB/25 (05-03)

Approved for use through 4/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| TERMINAL DISCLAIMER TO OBVIAE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION | Docket Number (Optional) |
|--|--------------------------|
| | BIOS-001 |

In re Application of: METHODS OF USING FET LABELED OLIGONUCLEOTIDES THAT INCLUDE A 3'-5' EXONUCLEASE RESISTANT QUENCHER DOMAIN AND COMPOSITIONS FOR PRACTICING THE SAME

Application No.: 10/087,229

Filed: February 27, 2002

For: METHODS OF USING FET LABELED OLIGONUCLEOTIDES THAT INCLUDE A 3'-5' EXONUCLEASE RESISTANT QUENCHER DOMAIN AND COMPOSITIONS FOR PRACTICING THE SAME

The owner, BioSource International, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/222,943, filed on August 15, 2002, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

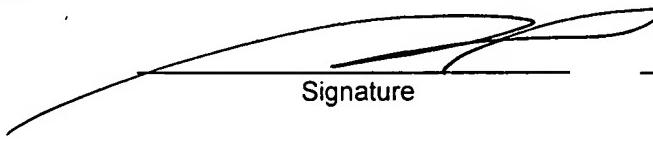
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.



06/07/2004

Date

06/10/2004 MMEKONEN 00000123 500815 10087229

01 FC 2814 55.00 DA

Bret E. Field

Type or printed name

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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